

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

CHARLES BRYANT,

Plaintiff,

v.

LORIE DAVIS,

Defendant.

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§

Case No. 6:18-cv-395-JDK-KNM

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

The above-styled civil action was administratively closed and is hereby **REOPENED** and placed back on the active docket for all purposes.

The Plaintiff Charles Bryant, proceeding *pro se*, filed the above-styled and numbered civil rights lawsuit under 42 U.S.C. § 1983 and the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. §2000cc-1 *et seq.* The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636.

On August 11, 2020, the Magistrate Judge issued a Report recommending that the Defendant's motion for summary judgment be granted. Plaintiff filed a motion for extension of time in which to file objections, and the Court administratively closed the case until December 1, 2020, to allow Plaintiff ample time in which to develop and prepare such objections as he may have. To date, however, no objections have been filed.

This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 5th Cir. 1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending

the time to file objections from ten to fourteen days). Here, Plaintiff did not file objections despite receiving an extension of time in which to do so. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews the legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and Recommendation, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. The Court therefore adopts the Report and Recommendation of the United States Magistrate Judge as the findings of this Court.

Accordingly, it is hereby **ORDERED** that the Magistrate Judge's Report (Docket No. 42) be **ADOPTED**. The Defendant's motion for summary judgment (Docket No. 40) is **GRANTED** and the above-styled civil action is **DISMISSED WITH PREJUDICE**. All pending motions are **DENIED** as **MOOT**.

So ordered and signed on this  
Jan 7, 2021

  
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JEREMY D. KERNODEE  
UNITED STATES DISTRICT JUDGE